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PATENTZJW
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 09/285,429 Confirmation No.: 3707
Applicant(s): Shirley *et al.*
Filed: April 2, 1999
Art Unit: 1656
Examiner: Kam, Chih Min
Title: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

Docket No.: 5784-9 (035784/158956)
Customer No.: 27476

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated June 6, 2006, rejecting the following Claims 21-34 and 45-46.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- Applicant claims small entity Status.
 A check is enclosed in the amount of \$1,520.00 for: \$500.00 for the Notice of Appeal Filing Fee and \$1,020.00 for the Petition for 3-Month Extension of Time Fee.
 Please charge Deposit Account No. 16-0605.
 Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
 A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

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Respectfully submitted,

Leslie T. Henry
Registration No. 45,714

Customer No. 27476 Customer Representative's No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	"Express Mail" mailing label number EV 913516101 US Date of Deposit: December 5, 2006 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Polly P. Burton
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